

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2003-0004
WDID NO. 1B02182RHUM

WASTE DISCHARGE REQUIREMENTS

FOR

CALIFORNIA DEPARTMENT OF TRANSPORTATION
SOUTH FORK EEL RIVER BRIDGE REPAINTING

Humboldt County

The California Regional Water Quality Control Board, North Coast Region, (hereinafter Regional Water Board) finds that:

1. The California Department of Transportation (hereinafter discharger) submitted a Report of Waste Discharge on October 30, 2002 for repainting of the South Fork Eel River Bridge No. 04-0065. The bridge is located over the South Fork Eel River on Highway 101, Humboldt County Post Mile 17.89, 2.5 miles south of Phillipsville, California, as shown in Attachment "A" incorporated herein and made part of this Order. The project is located at 40° 11' N and 123° 47' W on the USGS Miranda Quadrangle.
2. The entire steel surface of the South Fork Eel River Bridge will be prepared for painting using high-pressure water jetting. Washing will remove water-soluble surface contaminants, existing coatings, rust, and oil and grease. Approximately 2% of the steel surface will be cleaned using hand tools. This will remove loose mill scale, rust, and paint. McFerrox and halo-flex primers will be used on the bridge, and two latex paint finish coats will be applied. A final rinse of the entire bridge will be completed using fresh, unreclaimed water. The existing paint system contains lead, which requires 100% containment of both the paint debris and other waste material produced from washing operations. Washwater and visible dust produced when the existing paint system is disturbed will also be 100% contained.
3. This project has a 2C rating for threat to water quality and complexity, pursuant to California Code of Regulations (CCR) § 2200. The permittee has submitted a fee of \$2,025.00 for this project.
4. Lead is a toxic heavy metal pollutant that bioaccumulates in animal tissues. The U.S. Environmental Protection Agency primary maximum contaminant level (MCL) for lead in drinking water is 15 parts per billion (ppb), with the MCL Goal of 0 ppb. The U.S. Environmental Protection Agency Health Advisory lists lead as a probable human carcinogen. The Water Quality Control Plan for the North Coast Region states "All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in, humans, plant, animal, or aquatic life."
5. The report of waste discharge indicates that the containment system will contain all debris, washwater, and visible dust produced when the existing paint system is disturbed so that lead and particulates will not escape into the environment. At the end of each workday, the containment system will be cleaned with a high-efficiency particulate air vacuum. All solids, spent filters or vacuumed residues,

and debris will be removed from the work site and taken to a designated Hazardous Materials Storage Area. All waste will be placed in leak-proof containers that will be trucked by a qualified company to an approved Class I disposal facility. Temporary debris storage on the ground will not be allowed. All debris and other materials to be removed from the site will be removed before the end of each work shift. All washwater will be filtered and routed back to the supply tank. The water will be recycled for project use and will be used on other projects in the future.

6. The discharger will use a "Safespan" containment system and a "Little Sucker" wash recovery system to provide full containment of paint, rust, dirt, and other particulate matter. "Safespan," a cable-suspended platform, provides a stable working surface. The corrugations of this working deck run transversely to the bridge and are slightly angled so that all wastewater gravity flows down the corrugations to a gutter set at one edge of the decking. The collector gutter conveys wastewater to a package recycling system. The decking completely shields the area under the project from demolition debris and other hazards. Side tarps create a full enclosure that contains dust and debris. The "Little Sucker" system consists of suction pumps that pick up the washwater from the deck gutter. The washwater then passes through various filters that retain paint, rust, dirt, oils, road film, soaps, and other chemicals. Washwater is filtered, then routed back to the supply tank. Any dust or debris remaining in the containment system will be collected using a high-efficiency particulate air vacuum.
7. This project is not subject to federal storm water regulations because earth disturbed by construction activities will be less than one acre in size. The provisions of this Order require implementation of Best Management Practices (BMPs) to control and abate the discharge of pollutants during construction in storm water discharges to achieve compliance with water quality standards.
8. Approximate relevant target dates for bridge repainting activities are as follows:

June 2003	Project start
December 2005	Project completion
9. The Water Board Water Quality Control Plan for the North Coast Region (Basin Plan) includes water quality objectives and receiving water limitations.
10. The beneficial uses of the South Fork Eel River include:
 - a. municipal and domestic supply
 - b. agricultural supply
 - c. industrial service supply
 - d. groundwater recharge
 - e. water contact recreation
 - f. noncontact water recreation
 - g. commercial and sport fishing
 - h. cold freshwater habitat
 - i. wildlife habitat
 - j. preservation of rare, threatened or endangered species
 - k. migration of aquatic organisms
 - l. spawning, reproduction, and/or early development
 - m. aquaculture

11. The beneficial uses of areal groundwaters include:
 - a. domestic water supply
 - b. agricultural water supply
 - c. industrial service supply
12. This project is categorically exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (CEQA). The project consists of maintaining an existing bridge facility and is categorically exempt from CEQA pursuant to 14 CCR Section 15301.
13. The South Fork Eel River is listed as an impaired water body for sediment and temperature pursuant to Section 303 (d) of the Clean Water Act (CWA). A Total Maximum Daily Load (TMDL) was established in 1999 to address these loadings. The discharger proposes to provide full containment of all debris, washwater, and visible dust. Therefore, the discharge does not pose a threat to a change in temperature or an increase in sediment loading.
14. The permitted discharge is consistent with the provisions of State Water Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*. The impact on existing water quality will be insignificant.
15. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
16. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

THEREFORE, IT IS HEREBY ORDERED that the California Department of Transportation, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. The discharge of any waste not specifically regulated by this Order is prohibited.
2. Creation of a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code (CWC), is prohibited. [Health and Safety Code, Section 5411]
3. The discharge of waste to land that is not under the control of the discharger is prohibited, except as authorized under **B. SOLIDS DISPOSAL 1.**
4. The discharge of domestic waste, treated or untreated, to surface waters is prohibited.

5. The discharge of wastes, paint debris, wash waters, construction and demolition wastes, and paints to the South Fork Eel River or its tributaries, or to locations where these materials could pass into South Fork Eel River or its tributaries, is prohibited.
6. The operation of construction equipment in the South Fork Eel River is prohibited.

B. SOLIDS DISPOSAL

1. Solid waste¹ removed from the job site shall be disposed at a legal point of disposal, and in accordance with the provisions of Title 27, Division 2, Subdivision 1 of the California Code of Regulations or as waived pursuant to Section 13269 of the California Water Code.

C. PROVISIONS

1. Fuel Storage

The storage and use of any fuels, oils, or toxic substances at the project location or off-site staging areas shall be managed to prevent discharges of waste. All spills and leaks shall be cleaned up immediately and all contaminated materials shall be disposed at an approved disposal site.

2. Water Pollution Control Plan

The discharger shall submit a Water Pollution Control Plan at least thirty days prior to commencement of the project. The plan shall describe the chronology of construction activities for this project and Best Management Practices to be employed.

3. Waste Disposal

Excess earthen materials, demolition materials, and organic materials generated during the project shall be disposed at sites approved by the Regional Water Board, as provided in Title 27, Division 2, Subdivision 1 of the California Code of Regulations. If a disposal site is to be used that has not been previously approved by the Regional Water Board, the discharger shall obtain approval of the new disposal site at least 30 days prior to initiation of proposed work.

4. Operation and Maintenance

The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with the waste discharge requirements.

¹ Solid waste includes: construction debris, demolition debris, soil, silt, sandblasting and paint waste, or other organic or earthen material.

5. Availability

A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel.

6. Waste Containment

The discharger shall have a resident engineer monitoring the site to ensure the effectiveness of the containment system. The system shall be approved by the site Engineer prior to commencement of work by the contractor. The Engineer shall also be responsible for assuring compliance with this Order. The discharger shall establish a liaison contact with Regional Water Board staff for the purpose of assuring that compliance with this Order is maintained. A list of designated liaison personnel, addresses, telephone numbers, and specific area of responsibility shall be submitted one month prior to commencement of the construction.

7. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

8. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from liability under federal, State, or local laws, nor create a vested right for the discharger to continue the waste discharge.

9. Monitoring/Notification

The discharger shall comply with Contingency Planning and Notification Requirements for Accidental Spills and Discharges Order No 74-151 and with Monitoring and Reporting Program No. R1-2003-0004 and any modifications to these documents as specified by the Executive Officer of the Regional Water Board (Executive Officer). Such documents are attached to this Order and incorporated herein. Analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services.

10. Signatory Requirements

- a. All Report of Waste Discharge applications submitted to the Regional Water Board shall be signed by either the chief executive officer of the agency or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
- b. Reports required by this Order and other information requested by the Regional Water Board shall be signed by either the chief executive officer of the agency or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency or may be signed by a duly authorized representative provided:
 - i. the authorization is made in writing by a person described in paragraph (a) of this provision;

- ii. the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity or an individual or position having overall responsibility for environmental matters for the agency; and
 - iii. the written authorization is submitted to the Regional Water Board prior to or together with any reports, information, or applications signed by the authorized representative.
- c. Any person signing a document under paragraph (a) or (b) of this provision shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Inspections

The discharger shall permit authorized staff of the Regional Water Board:

- a. entry upon premises in which an effluent source is located or in which any required records are kept;
- b. access to copy any records required to be kept under terms and conditions of this Order;
- c. inspection of monitoring equipment or records; and
- d. sampling of any discharge.

12. Noncompliance

In the event the discharger is unable to comply with any of the conditions of this Order due to:

- a. breakdown of waste treatment equipment;
- b. accidents caused by human error or negligence; or
- c. other causes such as acts of nature;

the discharger shall notify the Executive Officer by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

13. Expiration

This Order Expires on December 31, 2005 or upon completion of the bridge maintenance project, whichever occurs first. If the discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the discharger shall apply for and obtain new Waste Discharge Requirements. A new report of waste discharge must be submitted to the Regional Water Board at least 120 days in advance of adoption of new Waste Discharge Requirements.

Certification

I, Susan A. Warner, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on February 27, 2003.

Susan A. Warner
Executive Officer

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